

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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WESTCHESTER FIRE INSURANCE COMPANY,

Plaintiff,

-against-

TWINS ELECTRIC CORP., ALFONSO DI FUSCO,
ROSANNA DI FUSCO, ANTHONY DI FUSCO,
SAMANTHA DI FUSCO, FRANK DI FUSCO,
LORRIE DI FUSCO, STEVEN DI FUSCO,
AND JENNA DI FUSCO,

Defendants.
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14-CV-7969 (JMF)

DEFAULT JUDGMENT

This action having been commenced on October 2, 2014 by the filing of the
Summons and Complaint on the defendants:

- (i) Alfonso Di Fusco pursuant to F.R.C.P 4(e)(1) and C.P.L.R. § 308(4) by affixing a copy of the summons and complaint to the door of Alfonso Di Fusco's dwelling place and mailing a copy of each to defendant Alfonso Di Fusco at 46 Baron Drive, Hopewell Junction, NY 12533, defendant Alfonso Di Fusco's last known residence on October 31, 2014, and proof of such service thereof was filed on December 11, 2014;
- (ii) Rosanna Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. § 308(4) by affixing a copy of the summons and complaint to the door of Rosanna Di Fusco's dwelling place and mailing a copy of each to defendant Rosanna Di Fusco at 46 Baron Drive, Hopewell Junction, NY 12533, defendant Rosanna Di Fusco's last known residence on October 31, 2014, and proof of such service thereof was filed on December 11, 2014;

- (iii) Anthony Di Fusco pursuant to F.R.C.P. 4(e)(4) and C.P.L.R. § 308(2) by affixing a copy of the summons and complaint to the door of Anthony Di Fusco's dwelling place and mailing a copy of each to defendant Anthony Di Fusco at 25 Brigam Lane, Hopewell Junction, NY 12533, defendant Anthony Di Fusco's last known residence on October 31, 2014, and proof of such service thereof was filed on December 15, 2014;
- (iv) Samantha Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. § 308(4) by affixing a copy of the summons and complaint to the door of Samantha Di Fusco's dwelling place and mailing a copy of each to defendant Samantha Di Fusco at 25 Brigam Lane, Hopewell Junction, NY 12533, defendant Samantha Di Fusco's last known residence on October 31, 2014, and proof of such service thereof was filed on December 15, 2014;
- (v) Frank Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. § 308(2) by delivering a copy of each to Lorrie Di Fusco, a person of suitable age and discretion at defendant Frank Di Fusco's residence and mailing a copy of each to defendant Frank Di Fusco at 36 Lees Way, Hopewell Junction, NY 12533, defendant Frank Di Fusco's last known residence, on December 11, 2014, and proof of such service thereof was filed on December 15, 2014;
- (vi) Lorrie Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. § 308(1) by delivering a copy of each to defendant Lorrie Di Fusco personally on December 8, 2014, and proof of such service thereof was filed on December 15, 2014;

- (vii) Steven Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. 308(1) by delivering a copy of each to defendant Steven Di Fusco personally on October 29, 2014, and proof of such service thereof was filed on December 11, 2014, and
- (viii) Jenna Di Fusco pursuant to F.R.C.P. 4(e)(1) and C.P.L.R. § 308(2) on October 31, 2015 by delivering a true copy of each to Steven Di Fusco, a person of suitable age and discretion at defendant Jenna Di Fusco's residence and by mailing a copy of each to defendant Jenna Di Fusco at 171 Sandy Pines Boulevard, Hopewell Junction, NY 12533, defendant Jenna Di Fusco's last known residence on October 31, 2014, and proof of such service thereof was filed on December 11, 2014.

and defendants not having answered the Complaint, and the time for answering the Complaint having expired, it is:

ORDERED, ADJUDGED AND DECREED: That the part of Plaintiff's motion for default judgment which sought additional legal fees incurred since October 2, 2014 is granted; and it is;

ORDERED, ADJUDGED AND DECREED: That Westchester Fire Insurance Company is entitled to additional legal fees in the amount \$11,179.23 for which the Defendants as indemnitors are jointly and severally liable therefore to Westchester Fire Insurance Company; and it is;

ORDERED, ADJUDGED AND DECREED: That the Clerk of the Court enter a money judgment in favor of Westchester Fire Insurance Company doing business at 436 Walnut Street, Philadelphia, PA 19106 and against defendants, Alfonso Di Fusco, Rosanna Di Fusco, Anthony Di Fusco, Samantha Di Fusco, Frank Di Fusco, Lorrie Di

Fusco, Steven Di Fusco, and Jenna Di Fusco, jointly and severally, in the amount of \$11,179.23 plus 9% in interest from April 15, 2015, the date of entry of the Order awarding Westchester Fire Insurance Company additional legal fees [ECF Doc. 53], until the date of the entry of Judgment.

Dated: New York, New York
April 16, 2015



BY: _____
U.S.D.J. JESSE M. FURMAN

JMF